

**Laws and Resolutions**  
**OF THE**  
**STATE OF MONTANA**

**ENACTED BY THE**

Forty-fourth Legislature

In Special

Session

**Held at Helena, the Seat of Government**

**Special Session**

**August 4, 1975**

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**COMPILED BY MONTANA LEGISLATIVE COUNCIL**

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# SESSION LAWS

## CHAPTER NO. 1

AN ACT TO PROVIDE SUPPORT OF THE MONTANA UNIVERSITY SYSTEM; AND TO PROVIDE AN IMMEDIATE EFFECTIVE DATE.

*Be it enacted by the Legislature of the State of Montana:*

Section 1. For the year 1975 there is levied upon the taxable value of all real and personal property in the state of Montana, subject to taxation for the year 1975, six (6) mills or so much thereof as is necessary to raise the amount appropriated by the 1975 legislature in House Bills No. 269 and 271 from the university millage earmarked revenue account for the support of the Montana university system.

Section 2. For the year 1976 there is levied upon the taxable value of all real and personal property in the state of Montana, subject to taxation for the year 1976, six (6) mills or so much thereof as is necessary to raise the amount appropriated by the 1975 legislature in House Bills No. 269 and 271 from the university millage earmarked revenue account for the support of the Montana university system.

Section 3. The levies made by sections 1 and 2 of this act are for the support of the Montana university system, as provided in Referendum Measure No. 65 and passed by vote of the people at the general election held November 5, 1968; and the funds raised therefrom shall be deposited in the earmarked revenue fund, university millage account.

Section 4. This act is effective on passage and approval.

Approved August 5, 1975.



# **APPROPRIATIONS**

**ENACTED BY THE**

**Forty-fourth Legislature**

**IN SPECIAL**

**SESSION**

**STATE OF MONTANA**

**August 4, 1975**



# APPROPRIATIONS

## HOUSE BILL NO. 1

AN ACT TO AMEND APPROPRIATION BILLS PASSED BY THE 1975 LEGISLATURE IN REGULAR SESSION TO SPECIFICALLY APPROPRIATE FUNDS FROM SOURCES OTHER THAN THE GENERAL FUND WHICH WERE NOT AVAILABLE FOR CONSIDERATION BY THE LEGISLATURE; INSURING THAT SUCH FUNDS ARE SUBJECT TO THE BUDGET AMENDMENT PROCESS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

*Be it enacted by the Legislature of the State of Montana:*

Section 1. House Bill No. 264, Laws of Montana 1975, is amended by adding a new section to read as follows:

"Section 13. In addition to the appropriations contained in this act, all other monies received from sources other than the general fund and which were not available for consideration by the legislature are hereby appropriated. Such monies may be made available for expenditure only by a budget amendment approved by the legislative finance committee."

Section 2. House Bill No. 269, Laws of Montana 1975, is amended by adding a new section to read as follows:

"Section 13. In addition to the appropriations contained in this act, all other monies received from sources other than the general fund and which were not available for consideration by the legislature are hereby appropriated. Such monies may be made available for expenditure only by a budget amendment approved by the legislative finance committee."

Section 3. House Bill No. 271, Laws of Montana 1975, is amended by adding a new section to read as follows:

"Section 13. In addition to the appropriations contained in this act, all other monies received from sources other than the general fund and which were not available for consideration by the legislature are hereby appropriated. Such monies may be made available for expenditure only by a budget amendment approved by the legislative finance committee."

Section 4. House Bill No. 285, Laws of Montana 1975, is amended by adding a new section to read as follows:

"Section 13. In addition to the appropriations contained in this act, all other monies received from sources other than the general fund and which were not available for consideration by the legislature are hereby

appropriated. Such monies may be made available for expenditure only by a budget amendment approved by the legislative finance committee."

Section 5. House Bill No. 286, Laws of Montana 1975, is amended by adding a new section to read as follows:

"Section 13. In addition to the appropriations contained in this act, all other monies received from sources other than the general fund and which were not available for consideration by the legislature are hereby appropriated. Such monies may be made available for expenditure only by a budget amendment approved by the legislative finance committee."

Section 6. House Bill No. 289, Laws of Montana 1975, is amended by adding a new section to read as follows:

"Section 13. In addition to the appropriations contained in this act, all other monies received from sources other than the general fund and which were not available for consideration by the legislature are hereby appropriated. Such monies may be made available for expenditure only by a budget amendment approved by the legislative finance committee."

Section 7. House Bill No. 712, Laws of Montana 1975, is amended by adding a new section to read as follows:

"Section 8. In addition to the appropriations contained in this act, all other monies received from sources other than the general fund and which were not available for consideration by the legislature are hereby appropriated. Such monies may be made available for expenditure only by a budget amendment approved by the legislative finance committee."

Section 8. It is the intent of the legislature that each substantive provision of this act is severable. If any section, subsection, sentence, clause, or phrase of this act is for any reason held unconstitutional, such decision shall not affect the validity of the remaining substantive provisions of this act.

Section 9. This act is effective on its passage and approval.

Approved August 5, 1975.

# **RESOLUTIONS**

**ENACTED BY THE**

**Forty-fourth Legislature**

**IN SPECIAL**

**SESSION**

**STATE OF MONTANA**

**August 4, 1975**



# RESOLUTIONS

## HOUSE JOINT RESOLUTION NO. 1

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA PRESCRIBING THE DUTIES AND COMPENSATION OF LEGISLATIVE OFFICERS AND EMPLOYEES.

WHEREAS, upon call of the Governor, the Forty-fourth Legislature has convened in Special Session, and

WHEREAS, the joint rules require the Legislature to prescribe the duties and compensation of officers and employees necessary to conduct the business of a legislative session.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

(1) That the following positions shall be paid for the number of days as authorized by the legislative administration committee of each house, at the indicated compensation per day, which may be computed on an hourly basis for accounting purposes:

|                                            |          |
|--------------------------------------------|----------|
| secretary of the senate.....               | \$49/day |
| (includes \$20 per diem for expenses)      |          |
| chief clerk of the house.....              | \$49/day |
| (includes \$20 per diem for expenses); and |          |
| sergeant-at-arms.....                      | \$48/day |
| (includes \$20 per diem for expenses)      |          |
| chaplain.....                              | \$12/day |

(2) The following positions are compensated for the number of hours for the calendar week as authorized by the legislative administration committee of each house at the indicated hourly wages. Each employee shall receive a five percent (5%) increase for each year of legislative experience not to exceed two (2) years.

| Position | Wage per hour |
|----------|---------------|
|----------|---------------|

(a) Offices of the secretary of the senate and the chief clerk of the house:

|                                   |        |
|-----------------------------------|--------|
| assistant secretary of senate and |        |
| assistant chief clerk .....       | \$5.15 |

|                                                                             |      |
|-----------------------------------------------------------------------------|------|
| chief stenographer.....                                                     | 4.47 |
| bills clerk .....                                                           | 4.80 |
| bills coordinator.....                                                      | 4.37 |
| journal clerk .....                                                         | 4.80 |
| bills distributor.....                                                      | 4.37 |
| secretary to secretary of senate<br>or chief clerk.....                     | 4.37 |
| assistant chief stenographer<br>and committee secretary.....                | 4.80 |
| assistant bills coordinator.....                                            | 3.86 |
| assistant journal clerk .....                                               | 3.86 |
| assistant bills clerk .....                                                 | 3.86 |
| secretary to assistant secretary<br>of senate or assistant chief clerk..... | 4.37 |
| assistant bills distributor.....                                            | 3.66 |
| stenographer.....                                                           | 3.42 |
| reading clerk.....                                                          | 3.42 |
| posting clerk .....                                                         | 3.42 |
| clerk-typist.....                                                           | 3.26 |
| proofreader .....                                                           | 3.16 |
| typist .....                                                                | 3.26 |
| (b) Offices of the sergeants-at-arms:                                       |      |
| assistant sergeant-at-arms .....                                            | 5.15 |
| supply clerk .....                                                          | 3.42 |
| parking attendant .....                                                     | 2.92 |
| watchman and doorkeeper.....                                                | 2.92 |
| page.....                                                                   | 2.14 |
| (c) Office of public information, fixed salaries:                           |      |
| public information director.....                                            | 4.68 |
| public information supervisor .....                                         | 4.30 |
| head guide.....                                                             | 3.75 |
| guide.....                                                                  | 3.47 |
| (d) Office of the business manager:                                         |      |
| business manager.....                                                       | 4.68 |

|                                                     |             |
|-----------------------------------------------------|-------------|
| assistant business manager .....                    | 4.30        |
| clerk-typist .....                                  | 3.26        |
| (e) Miscellaneous positions:                        |             |
| committee researcher .....                          | 4.85        |
| secretary to an officer<br>of the legislature ..... | 4.80        |
| committee secretary .....                           | 4.37        |
| aide to Representative R. Budd Gould .....          | \$600/month |

(3) The duties of the secretary of the senate, the chief clerk of the house, and the sergeants-at-arms, are as prescribed by law, by legislative rule, and by the presiding officer of each house. The duties of committee researchers and secretaries are as prescribed by the chairman of the employing committees. The duties of the business manager and public information office are as prescribed by the joint committee on legislative administration. The duties of every other position scheduled in the preceding section are as prescribed by the committee employing the person in such position; and

(4) The salaries specified in this resolution shall be paid for every day of this Special Session of the Forty-fourth Legislature during which the employee works. The presiding officer of each house may authorize the legislative administration committee, when necessary, to continue the employment and compensation of officers and employees if provided for by a simple resolution of each house, except for the position of business manager.

(5) The first payment under this bill shall be made in any manner that the state auditor deems necessary to facilitate prompt payment of wages.

Approved August 4, 1975.

## HOUSE JOINT RESOLUTION NO. 2

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REPEALING CERTAIN EMERGENCY RULES OF THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES INVOLVING ASSISTANCE TO THE MEDICALLY NEEDY; AND PROHIBITING THE DEPARTMENT FROM ADOPTING PERMANENT RULES OF A SIMILAR NATURE.

WHEREAS, the Department of Social and Rehabilitation Services administers programs of medical assistance under Title 71, chapter 15 and biennial appropriations of state monies for such programs; and

WHEREAS, the Legislature in 1975 appropriated to the department the sums requested in the executive budget for medical assistance and other economic assistance programs plus an additional \$1,655,000 in response to the department's request for additional funds; and

WHEREAS, the chairman of the subcommittee on the appropriation to the department communicated the subcommittee's intent that, should the additional funds appropriated prove in actual experience to be insufficient to fund all economic assistance programs at current levels, the deficiency should be spread among all economic assistance categories without severely penalizing any single area of service; and

WHEREAS, the department has acted contrary to legislative intent by adopting emergency rules and proposing to adopt permanent rules which severely penalize one area of service, medical assistance to the medically needy, for the expressed purpose of balancing its budget, prior to the receipt and evaluation of actual budgetary experience.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the amendments to Montana Administrative Code rules numbered 46-2.10(18)-S11390, 46-2.10(18)-S11420, 46-2.10(18)-S11440, 46-2.10(18)-S11450, 46-2.10(18)-S11460, and 46-2.10(18)-S11470, adopted as emergency rule amendments by the Department of Social and Rehabilitation Services on June 25, 1975, are repealed.

BE IT FURTHER RESOLVED, that the Department of Social and Rehabilitation Services shall terminate the proceedings proposed to adopt permanent rule amendments similar to those cited above, as described in MAC Notice Number 46-2-79, and in lieu thereof, shall, after determining that actual expenditures for economic assistance programs are exceeding appropriations, proceed to adopt or amend rules and present the necessary budget amendments for approval to distribute the deficiency equitably and proportionately among all programs of the department. When any projected state fund surplus from other economic assistance program areas arise, the director shall immediately distribute that surplus into the medically needy program.

Approved August 4, 1975.

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## **Special Session**

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